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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

AMERICAN WILD HORSE CAMPAIGN and  
KIMBERLEE CURLY,

Plaintiffs,

v.

RYAN ZINKE, Secretary of the Department of  
the Interior, MICHAEL D. NEDD, Acting  
Deputy Director of Operations of Bureau of  
Land Management, and JILL SILVEY, District  
Manager Elko District Office of Bureau of Land  
Management,

Defendants.

No. 3:18-cv-00059-RCJ-VPC

**JOINT MOTION TO AMEND  
SCHEDULING ORDER**

Ryan Zinke, in his official capacity as Secretary of the Department of Interior, Michael  
D. Nedd, in his official capacity as Acting Deputy Director of Operations of the Bureau of Land  
Management, Jill Silvey, in her official capacity as the Elko District Office Manager, and the

1 United States Bureau of Land Management (“BLM”) (collectively, “Defendants”) and American  
2 Wild Horse Campaign and Kimberlee Curyl (collectively, “Plaintiffs”) hereby move to amend  
3 the briefing schedule in this case.

4 On April 19, 2018, the parties submitted a Joint Motion for a Scheduling Order, ECF No.  
5 19. On April 24, 2018, the Court issued a Scheduling Order adopting the schedule proposed by  
6 the parties for the briefing of this case. ECF No. 20. Pursuant to the Scheduling Order,  
7 Plaintiffs’ Motion for Summary Judgment shall be filed no later than June 15, 2018 and  
8 Defendants’ combined Response and Cross-Motion for Summary Judgment shall be filed no  
9 later than July 17, 2018. Since the Scheduling Order was issued, one of Defendants’ lead  
10 counsel has had several time-sensitive litigation matters arise that will conflict with the current  
11 schedule, and Defendants’ other lead counsel will be on maternity leave during July and August.  
12 The parties have conferred and agreed to an amendment of the briefing schedule to accommodate  
13 these scheduling concerns. The parties propose that all briefing deadlines be extended by two  
14 weeks, except that Defendants’ Reply brief will be extended by only one week in order to  
15 minimize the delay to the ultimate conclusion of briefing in this case. There is good cause for  
16 this amendment of the schedule, which will only delay the end of briefing by one week and still  
17 permit the Court time to resolve this case prior to any potential wild horse gather after October 1,  
18 2018. *See* ECF No. 19 at 3 (representing that BLM did not anticipate conducting any further  
19 gathers in the Triple B or Antelope Complexes before the next Fiscal Year begins on October 1,  
20 2018, unless gathers are needed to address an emergency or public safety issue).

21 For the foregoing reasons, the parties respectfully request that the Court amend the  
22 Scheduling Order, ECF No. 20, and enter the following schedule:

- 23 i. Plaintiffs’ Motion for Summary Judgment shall be filed no later than June 29,  
24 2018.
- 25 ii. Federal Defendants shall file their combined Response to Plaintiffs’ Motion for  
26 Summary Judgment and Cross-Motion for Summary Judgment no later than July  
27 31, 2018.

1           iii.   Plaintiffs shall file their combined Response to Federal Defendants' Cross-Motion  
2                   and Reply in support of their Motion for Summary Judgment no later than August  
3                   17, 2018.

4           iv.   Federal Defendants shall file their Reply in support of their Cross-Motion for  
5                   Summary Judgment no later than August 31, 2018.

6  
7 DATED: June 1, 2018.

8                               Respectfully submitted,

9                               JEFFREY H. WOOD  
10                              Acting Assistant Attorney General

11                             /s/ Devon Lea Flanagan  
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*Attorneys for Plaintiffs*

IT IS SO ORDERED.

Dated: June 6, 2018



HON. MIRANDA M. DU

United States District Judge

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 1, 2018, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the District of Nevada by using the CM/ECF system, which will serve a copy of the same on the counsel of record.

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